



Claimant was employed by the respondent as a dental assistant, which at given times required her to perform repetitive activities with her hands, not limited to mixing of impression materials and polishing teeth. She alleges that she first became symptomatic in June 1994 and that symptoms have gradually gotten worse each and every working day thereafter.

On December 19, 1994, Ernest R. Schlachter, M.D., examined claimant and concluded that the claimant suffered from overuse syndrome of both upper extremities, bilateral thoracic outlet syndrome, early carpal tunnel syndrome and tendinitis of both wrists. He concluded that her work for the respondent required her to clean teeth, do polishing, make impression materials and to assist the doctor. While doing these repetitive hand activities, she developed numbness, tingling and pain in both wrists in June 1994. In a supplemental report dated December 20, 1994, Dr. Schlachter opined that the claimant's problems with her upper extremities were due to repetitive activities performed while working as a dental assistant for the respondent.

Respondent, on the other hand, argues that the claimant did not meet her burden of proving that her bilateral hand problems were work related. Respondent further argues that the claimant did not have to do continuous repetitive work, or heavy work, and uses her hands at home while doing activities as much as she does at work. Respondent also alleges that claimant has a secondary motivation for alleging a work-related injury in that she has talked with a relative who has a pending workers compensation claim and she was unhappy with her pay as a trainee for the last six (6) months.

The Appeals Board, having reviewed the evidentiary record presented in this matter and for preliminary hearing purposes, finds through the credible evidence, established by the claimant's testimony and the uncontradicted medical reports of Dr. Schlachter, that the claimant has suffered a work-related injury due to her repetitive work activities while employed by the respondent.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the Preliminary Hearing Order of Administrative Law Judge Nelsonna Potts Barnes, dated January 13, 1995, is affirmed and remains in full force and effect.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of April, 1995.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: Steven L. Foulston, Wichita, KS  
Kim R. Martens, Wichita, KS  
Nelsonna Potts Barnes, Administrative Law Judge  
George Gomez, Director